**HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE**
**AND**
**HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY**

**WRIT PETITION No. 14463 of 2006**

Between:

Sri P. Narsimhulu Yadav,
President,
A.P. Physically Handicapped Welfare Association,
Hyderabad.

..Petitioner

And

The Government of Andhra Pradesh,
Rep., by its Principal Secretary,
Department of Women Development,
Child Welfare and Disabled Welfare,
Secretariat, Hyderabad and others.

..Respondents.

**:ORDER:**

Counsel for the petitioner : --
Counsel for respondent Nos.1 & 3 : Government Pleader for Women Development & Child Welfare
Counsel for respondent No.2: : Government Pleader for Social Welfare.

**October 16, 2006**:

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**Per G.S. Singhvi, CJ**

Letter dated 19-06-2006 sent by Shri P. Narsimhulu Yadav, President, Andhra Pradesh Physically Handicapped Welfare Association with the complaint that the State Government and its officers are not implementing the reservation for physically challenged as per the provisions of the Persons with Disabilities (Equal Opportunities, Protection of Rights and full Participation) Act,

1995 (for short 'the 1995 Act') was treated by one of us (the Chief Justice) as a writ petition in public interest.

In response to notice issued by the court, Smt. Vasudha Mishra, Secretary, Women Development, Child Welfare and Disabled Welfare, Government of Andhra Pradesh filed affidavits dated 15-09-2006 and 13-10-2006. In the latest affidavit Smt. Vasudha Mishra has given the details of the vacancies identified as per the requirement of Section 33 of the 1995 Act and the steps taken by various agencies to make recruitment against posts reserved for physically challenged. The relevant extracts of the last affidavit of smt. Vasudha Mishra are re-produced below:

"**Additional Affidavit filed by the respondent No.1.**

It is submitted that as per Section 33 of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 every appropriate Government shall appoint in every establishment such percentage of vacancies not less than three percent, for persons or class with disability of which one percent, each shall be reserved for persons suffering from (1) blindness or low vision (2) hearing impairment (3) locomotor disability or cerebral palsy in the posts identified for each disability. Government of Andhra Pradesh launched Special Recruitment Drive for filling up of backlog vacancies reserved for disabled persons vide G.O.Ms.No. 9, Women Development, Child Welfare and Disabled Welfare dated 26-02-2002. Further the Government have extended the time from time to time for filling up of all the identified backlog vacancies reserved for the disabled up to 31-03-2007.

**The details of posts identified, filled and to be filled are as follows:-**

a. District Selection Committee (DSC-Posts) (Junior Assistants/Junior Accountants/Typists etc.,) and other than District Selection Committee (ODSC-Posts) (Last Grade services, State & Subordinate services etc.,) through the District Collectors of concerned districts.

| | Identified | | | | Filled | | | | To be filled | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Category | VH | HH | OH | Total | VH | HH | OH | Total | VH | HH | OH | TOTAL |
| DSC | 332 | 149 | 137 | 618 | 198 | 101 | 107 | 406 | 134 | 48 | 30 | 212 |
| ODSC | 918 | 522 | 495 | 1935 | 722 | 419 | 373 | 1514 | 196 | 103 | 122 | 421 |
| **Total** | **1250** | **671** | **632** | **2553** | **920** | **520** | **480** | **1920** | **330** | **151** | **152** | **633** |

b. Details of Group IV and other miscellaneous posts under the purview of A.P. Public Service Commission, Hyderabad.

| Category | Identified | | | | Filled | | | | To be filled | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | VH | HH | OH | Total | VH | HH | OH | Total | VH | HH | OH | TOTAL |

| | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Group IV | 13 | 13 | 11 | 37 | 13 | 13 | 11 | 37 | 0 | 0 | 0 | 0 |
| Others | 1 | 2 | 35 | 38 | 1 | 2 | 18 | 21 | 0 | 0 | 17 | 17 |
| **Total** | **14** | **15** | **46** | **75** | **14** | **15** | **29** | **58** | **0** | **0** | **17** | **17** |

c. Details of District Selection Committee 2006 (DSC, 2006 – Teachers Recruitment) under Education Department.

| Category | Identified | | | | Filled | | | | To be filled | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | VH | HH | OH | Total | VH | HH | OH | Total | VH | HH | OH | TOTAL |
| Teachers | 480 | 348 | 206 | 1034 | | | | | | | | |
| **Total** | **480** | **348** | **206** | **1034** | | | | | | | | |

It is informed that the selection of DSC 2006 (Teachers) are under process. The teachers recruitment tests was conducted on 9th, 10th & 11th of September, 2006 through out the state and the results are scheduled to be announced.

A model notification is being issued by the Chief Commissioner, Land Administration, Hyderabad to the District Collectors for District Selection Committees posts. After issue of model notification the District Collectors issue notification inviting the application from the disabled candidates and recruitment process will start, completed by 31st March, 2007.

The above extracted portions of the affidavit of Smt. Vasudha Mishra shows that the respondents have already taken steps for implementation of the provisions of the 1995 Act and an undertaking has been given to fill up all the posts by 31-03-2007. Therefore, we deem it proper to close the proceedings of the writ petition at this stage and dispose of the matter as infructuous. Ordered accordingly.

A copy of this order be sent to Shri P. Narsimhulu Yadav, President, A.P. Physically Handicapped Welfare Association, 1-7-1002/45/D, Ramnagar, Hyderabad with liberty to the petitioner to file miscellaneous petition or seeking revival of this case, if it is found that the undertaking given before the court has not been complied with.

**G.S. SINGHVI, CJ**

**C.V. NAGARJUNA REDDY, J**

16-10-2006
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